



Attorney Docket No.: 01001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Maxwell et al.

Group: 1744

Serial No.: 10/622,397

Examiner: REDDING, D.

Filing Date: July 18, 2003

Customer No.: 35467

For: SAMPLE CONTACT PLATE WITH LATCHABLE COVER

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Your petitioner, bioMérieux, Inc., a Missouri corporation located at 100 Rodolphe St., Durham, NC 27712, USA, represents that it is the assignee of 100% interest in and to the above-identified application pursuant to an assignment recorded on September 17, 2002 in the U.S. Patent and Trademark Office at reel 013319, frame 0091 in the parent application (U.S. Application No. 10/178,422) of the above-identified application.

Your petitioner, bioMérieux, Inc., represents that it is the owner of record of 100% interest in and to U.S. Patent Application Serial No. 10/622,397.

Your petitioner, bioMérieux, Inc., has reviewed the evidentiary documents and certifies that to the best of its knowledge and belief, title is in the assignee herein, bioMérieux, Inc.

The undersigned attorney of record is empowered to act on behalf of the assignee.

Your petitioner, bioMérieux, Inc., hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, of U.S. Patent No. 6,602,704

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B1, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,602,704 B1, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: February 24, 2004

By:


Samir R. Patel
Reg. No. 44,998